

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**KAREN HUGHEY,  
Conservator for JAMES ALLEN HUGHEY**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 3:18-CV-00004-GHD-RP**

**TIPPAH COUNTY, MISSISSIPPI;  
TOMMY MASON, In his Individual Capacity;  
and “X” BONDING COMPANY**

**DEFENDANTS**

**TIPPAH COUNTY, MISSISSIPPI’S MOTION  
FOR JUDGMENT ON THE PLEADINGS**

**NOW COMES**, Defendant Tippah County, Mississippi (“Tippah County” hereinafter), by and through counsel, and respectfully files its Motion for Judgment on the Pleadings:

**I. PREMISE**

Plaintiff Karen Hughey’s First Amended Complaint against Tippah County fails. First, Hughey’s complaint is barred by *Heck* as it does not align with the *Alford* pleas taken by James Hughey in the state criminal case involving the same set of facts. Second, even if not barred, she has completely failed to state a claim against the County under *Monell*. Her Amended Complaint should be dismissed *in toto*.

**II. ATTACHMENTS**

In support of this Motion, Defendant attaches the following Exhibit:

Exhibit A – Transcript of James Hughey Plea Hearing Held September 26, 2023

**III. BRIEFING**

As required by our local rules, an appropriate Memorandum of Supporting Authorities is being filed herewith.

**NOW THEREFORE**, Defendant Tippah County, Mississippi prays that it be dismissed with prejudice from this action.

**RESPECTFULLY SUBMITTED**, this the 17th day of September, 2024.

**JACKS GRIFFITH LUCIANO, P.A.**

By: /s/ Arnold U. Luciano

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**CERTIFICATE OF SERVICE**

I, Arnold U. Luciano, attorney of record for Defendant, Tippah County, Mississippi, hereby certify that I have this day caused a true and correct copy of the above and foregoing *Tippah County, Mississippi's Motion for Judgment on the Pleadings* to be delivered by the ECF Filing System to the following Counsel of Record:

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**Attorneys for Defendant, Tommy Mason**

**DATED**, this the 17th day of September, 2024.

/s/ Arnold U. Luciano  
Arnold U. Luciano